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8 **BEFORE THE**  
9 **MEDICAL BOARD OF CALIFORNIA**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 06-2012-228977

12 **OWUSU ANANEH-FIREMPONG, M.D.**

13 311 North Robertson Blvd., Suite 822  
14 Beverly Hills, CA 90211

**DEFAULT DECISION  
AND ORDER**

15 Physician's and Surgeon's Certificate No.  
G42397

[Gov. Code, § 11520]

16 Respondent.

17  
18 FINDINGS OF FACT

19 1. On or about July 3, 2014, Complainant Kimberly Kirchmeyer, in her official capacity  
20 as the Executive Director of the Medical Board of California, Department of Consumer Affairs,  
21 filed Accusation No. 06-2012-228977 against OWUSU ANANEH-FIREMPONG, M.D.  
22 (Respondent) before the Medical Board of California. A true and correct copy of the Accusation,  
23 the related documents, and Declaration of Service are attached as **Exhibit 1**.

24 2. On or about July 1, 1980, the Medical Board of California (Board) issued Physician's  
25 and Surgeon's Certificate Number G42397 to Respondent. Said Physician's and Surgeon's  
26 Certificate became delinquent on February 12, 2012.<sup>1</sup> On or about May 22, 2014, an Automatic

27  
28 <sup>1</sup> Section 118, subdivision (b), of the Business and Professions Code states:

(continued...)

1 Suspension Order – No Practice was issued pursuant to Business and Professions Code section  
2 2236.1. Respondent's Certificate of Licensure is attached as **Exhibit 2**.

3 3. On or about July 3, 2014, John F. Yelchak, an employee of the Complainant Agency,  
4 served by Certified Mail, a copy of the Accusation No. 06-2012-228977, Statement to  
5 Respondent, Notice of Defense, Request for Discovery, and Government Code sections 11507.5,  
6 11507.6, and 11507.7 to Respondent's address of record with the Board. [See **Exhibit 1**] Also,  
7 since the Board had knowledge that Respondent was in custody (as a result of being convicted of  
8 conspiracy to distribute and possess with intent to distribute 5 kilograms or more of cocaine,  
9 among other criminal acts) at FCI Victorville Medium II, Federal Correctional Institution, the  
10 Board served a courtesy copy of the Accusation and accompanying documents by Certified Mail  
11 on Respondent as follows: Owusu Ananeh-Firempong, Inmate No. 57388-112, FCI Victorville  
12 Medium II, Federal Correctional Institution, P. O. Box 3850, Adelanto, CA 92301. [See **Exhibit**  
13 **1**]

14 3. On or about July 21, 2014, an "M. Park" signed the certified mail receipt card  
15 addressed to Respondent at his address of record. The original certified mail receipt card is  
16 attached as **Exhibit 3**.

17 4. Government Code section 11506 states, in pertinent part:

18 "(c) The respondent shall be entitled to a hearing on the merits if the respondent files a  
19 notice of defense, and the notice shall be deemed a specific denial of all parts of the accusation  
20 not expressly admitted. Failure to file a notice of defense shall constitute a waiver of  
21 respondent's right to a hearing, but the agency in its discretion may nevertheless grant a hearing."  
22  
23

24 (...continued)

25 "The suspension, expiration, or forfeiture by operation of law of a license issued by a board  
26 in the department, or its suspension, forfeiture, or cancellation by order of the board or by order  
27 of a court of law, or its surrender without the written consent of the board, shall not, during any  
28 period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its  
authority to institute or continue a disciplinary proceeding against the licensee upon any ground  
provided by law or to enter an order suspending or revoking the license or otherwise taking  
disciplinary action against the licensee on any such ground."

1 Respondent has failed to file a Notice of Defense within 15 days after service upon him of the  
2 Accusation, and therefore waived his right to a hearing on the merits of Accusation No. 06-2012-  
3 228977.

4 5. On or about September 30, 2014, a courtesy copy of Notice of Default was served on  
5 Respondent by Certified Mail to both of the addresses set forth above. The Notice of Default  
6 advised Respondent of the service of the Accusation, and provided him with an opportunity to  
7 appear and contest the allegations.

8 6. To date, neither Deputy Attorney General Beneth A. Browne nor the Board has  
9 received a Notice of Defense from Respondent. The Declaration of Deputy Attorney General  
10 Beneth A. Browne is attached as **Exhibit 4**.

11 7. Service of the Accusation was effective as a matter of law under the provisions of  
12 Government Code section 11505, subdivision (c).

13 8. California Government Code section 11520 states, in pertinent part:

14 "(a) If the respondent either fails to file a notice of defense or to appear at the hearing, the  
15 agency may take action based upon the respondent's express admissions or upon other evidence  
16 and affidavits may be used as evidence without any notice to respondent."

17 9. Pursuant to its authority under Government Code section 11520, the Board finds  
18 Respondent is in default. The Board will take action without further hearing and, based on  
19 Respondent's express admissions by way of default and the evidence before it, contained in  
20 exhibits 1 through 4, finds that the allegations in Accusation No. 06-2012-228977 are true.

#### 21 DETERMINATION OF ISSUES

22 1. Based on the foregoing findings of fact, Respondent OWUSU ANANEH-  
23 FIREMPONG, M.D. has subjected his Physician's and Surgeon's Certificate Number G42397 to  
24 discipline.

25 2. A copy of the Accusation and the related documents and Declaration of Service are  
26 attached.

27 3. The agency has jurisdiction to adjudicate this case by default.

28 4. Pursuant to its authority under Government Code section 11520, the Board finds

1 Respondent is in default. The Board will take action without further hearing and, based on  
2 Respondent's express admissions by way of default and the evidence before it, contained in  
3 exhibits 1 through 4, finds that the allegations in Accusation No. 06-2012-228977 are true.

4 5. The Medical Board of California is authorized to revoke Respondent's Physician's  
5 and Surgeon's Certificate Number G42397 based upon the following violations alleged in the  
6 Accusation:

7 a. Violation of Business and Professions Code sections 490, 2236 and  
8 2236.1, to wit, convictions of crimes substantially related to the practice of medicine,  
9 specifically, (1) conspiracy to distribute cocaine in violation of Title 21, United States  
10 Code, sections 846, 841(a)(1), and 841(b)(1)(A)(ii); (2) conspiracy to conduct financial  
11 transactions from the proceeds of criminal activity and to avoid transaction reporting  
12 requirements under federal law (money laundering) in violation of Title 18, United States  
13 Code, section 1956(h); and (3) health care fraud in violation of Title 18, United States  
14 Code, sections 1374 and 2(b). (See Exhibits A and B to Exhibit 4, Declaration of Beneth A.  
15 Browne.)

16 b. Violation of Business and Professions Code section 2234, subdivision (e),  
17 dishonesty as reflected in the conduct underlying the above convictions; and

18 c. Violation of Business and Professions Code section 2261, false  
19 representation of facts as reflected in the above convictions.

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Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

It is so ORDERED August 5, 2016

  
FOR THE MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
Kimberly Kirchmeyer  
Executive Director

1 KAMALA D. HARRIS  
Attorney General of California  
2 E. A. JONES III  
Supervising Deputy Attorney General  
3 BENETH A. BROWNE  
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7 *Attorneys for Complainant*

FILED  
STATE OF CALIFORNIA  
MEDICAL BOARD OF CALIFORNIA  
SACRAMENTO July 3, 2014  
BY: [Signature] ANALYST

8 BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
9 DEPARTMENT OF CONSUMER AFFAIRS  
10 STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 06-2012-228977

12 **OWUSU ANANEH-FIREMPONG, M.D.,**  
13 311 N. Robertson Blvd, Suite 822  
Beverly Hills, CA 90211

ACCUSATION

14 Physician's and Surgeon's Certificate  
15 No. G42397

16 Respondent.

17  
18 Complainant alleges:

19 PARTIES

20 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official  
21 capacity as the Executive Director of the Medical Board of California, Department of Consumer  
22 Affairs.

23 2. On or about July 1, 1980, the Medical Board of California issued Physician's and  
24 Surgeon's Certificate Number G42397 to Owusu Ananeh-Firempong, M.D. (Respondent). The  
25 Physician's and Surgeon's Certificate became delinquent on February 29, 2012. On or about May  
26 22, 2014, Respondent was served Notice of Automatic Suspension of his license by operation of  
27 law during his incarceration following conviction of a felony pursuant to Business and  
28 Professions Code section 2236.1.

## JURISDICTION

3. This Accusation is brought before the Medical Board of California (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2229, subdivision (a), of the Code states:

“Protection of the public shall be the highest priority for the Division of Medical Quality,<sup>[1]</sup> the California Board of Podiatric Medicine, and administrative law judges of the Medical Quality Hearing Panel in exercising their disciplinary authority.”

5. Section 2227 of the Code provides that a licensee who is found guilty under the Medical Practice Act may have his or her license revoked, suspended for a period not to exceed one year, placed on probation and required to pay the costs of probation monitoring, or such other action taken in relation to discipline as the Board deems proper.

6. Section 2234 of the Code, states:

“The board shall take action against any licensee who is charged with unprofessional conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not limited to, the following:

“(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the violation of, or conspiring to violate any provision of this chapter.

“... ”

“(e) The commission of any act involving dishonesty or corruption which is substantially related to the qualifications, functions, or duties of a physician and surgeon.

“... ”

7. Section 2261 of the Code states:

“Knowingly making or signing any certificate or other document directly or indirectly related to the practice of medicine or podiatry which falsely represents the existence or nonexistence of a state of facts, constitutes unprofessional conduct.”

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<sup>1</sup> Pursuant to Business and Professions Code section 2002, the “Division of Medical Quality” or “Division” shall be deemed to refer to the Medical Board of California.

1           8.     Section 2236 of the Code states:

2           “(a) The conviction of any offense substantially related to the qualifications, functions, or  
3 duties of a physician and surgeon constitutes unprofessional conduct within the meaning of this  
4 chapter [Chapter 5, the Medical Practice Act]. The record of conviction shall be conclusive  
5 evidence only of the fact that the conviction occurred.

6           “(b) The district attorney, city attorney, or other prosecuting agency shall notify the  
7 Division of Medical Quality of the pendency of an action against a licensee charging a felony or  
8 misdemeanor immediately upon obtaining information that the defendant is a licensee. The  
9 notice shall identify the licensee and describe the crimes charged and the facts alleged. The  
10 prosecuting agency shall also notify the clerk of the court in which the action is pending that the  
11 defendant is a licensee, and the clerk shall record prominently in the file that the defendant holds  
12 a license as a physician and surgeon.

13           “(c) The clerk of the court in which a licensee is convicted of a crime shall, within 48 hours  
14 after the conviction, transmit a certified copy of the record of conviction to the board. The  
15 division may inquire into the circumstances surrounding the commission of a crime in order to fix  
16 the degree of discipline or to determine if the conviction is of an offense substantially related to  
17 the qualifications, functions, or duties of a physician and surgeon.

18           “(d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is deemed to  
19 be a conviction within the meaning of this section and Section 2236.1. The record of conviction  
20 shall be conclusive evidence of the fact that the conviction occurred.”

21           9.     Section 490 of the Code provides, in pertinent part, that a board may suspend or  
22 revoke a license on the ground that the licensee has been convicted of a crime substantially  
23 related to the qualifications, functions, or duties of the business or profession for which the  
24 license was issued.

25           10.    Section 2236.1 of the Code states:

26           “(a) A physician and surgeon's certificate shall be suspended automatically during any time  
27 that the holder of the certificate is incarcerated after conviction of a felony, regardless of whether  
28 the conviction has been appealed. The Division of Medical Quality shall, immediately upon



1 receipt of the certified copy of the record of conviction, determine whether the certificate of the  
2 physician and surgeon has been automatically suspended by virtue of his or her incarceration, and  
3 if so, the duration of that suspension. The division shall notify the physician and surgeon of the  
4 license suspension and of his or her right to elect to have the issue of penalty heard as provided in  
5 this section.

6 “(b) Upon receipt of the certified copy of the record of conviction, if after a hearing it is  
7 determined therefrom that the felony of which the licensee was convicted was substantially  
8 related to the qualifications, functions, or duties of a physician and surgeon, the Division of  
9 Medical Quality shall suspend the license until the time for appeal has elapsed, if no appeal has  
10 been taken, or until the judgment of conviction has been affirmed on appeal or has otherwise  
11 become final, and until further order of the division. The issue of substantial relationship shall be  
12 heard by an administrative law judge from the Medical Quality Hearing Panel sitting alone or  
13 with a panel of the division, in the discretion of the division.

14 “(c) Notwithstanding subdivision (b), a conviction of any crime referred to in Section 2237,  
15 or a conviction of Section 187, 261, 262, or 288 of the Penal Code, shall be conclusively  
16 presumed to be substantially related to the qualifications, functions, or duties of a physician and  
17 surgeon and no hearing shall be held on this issue. Upon its own motion or for good cause  
18 shown, the division may decline to impose or may set aside the suspension when it appears to be  
19 in the interest of justice to do so, with due regard to maintaining the integrity of and confidence in  
20 the medical profession.

21 “(d)(1) Discipline may be ordered in accordance with Section 2227, or the Division of  
22 Licensing may order the denial of the license when the time for appeal has elapsed, the judgment  
23 of conviction has been affirmed on appeal, or an order granting probation is made suspending the  
24 imposition of sentence, irrespective of a subsequent order under Section 1203.4 of the Penal Code  
25 allowing the person to withdraw his or her plea of guilty and to enter a plea of not guilty, setting  
26 aside the verdict of guilty, or dismissing the accusation, complaint, information, or indictment.

27 “(2) The issue of penalty shall be heard by an administrative law judge from the Medical  
28 Quality Hearing Panel sitting alone or with a panel of the division, in the discretion of the

1 division. The hearing shall not be had until the judgment of conviction has become final or,  
2 irrespective of a subsequent order under Section 1203.4 of the Penal Code, an order granting  
3 probation has been made suspending the imposition of sentence; except that a licensee may, at his  
4 or her option, elect to have the issue of penalty decided before those time periods have elapsed.  
5 Where the licensee so elects, the issue of penalty shall be heard in the manner described in this  
6 section at the hearing to determine whether the conviction was substantially related to the  
7 qualifications, functions, or duties of a physician and surgeon. If the conviction of a licensee who  
8 has made this election is overturned on appeal, any discipline ordered pursuant to this section  
9 shall automatically cease. Nothing in this subdivision shall prohibit the division from pursuing  
10 disciplinary action based on any cause other than the overturned conviction.

11 “(e) The record of the proceedings resulting in the conviction, including a transcript of the  
12 testimony therein, may be received in evidence.

13 “(f) The other provisions of this article setting forth a procedure for the suspension or  
14 revocation of a physician and surgeon's certificate shall not apply to proceedings conducted  
15 pursuant to this section.”

16 11. Section 493 of the Code states:

17 "Notwithstanding any other provision of law, in a proceeding conducted by a board within  
18 the department pursuant to law to deny an application for a license or to suspend or revoke a  
19 license or otherwise take disciplinary action against a person who holds a license, upon the  
20 ground that the applicant or the licensee has been convicted of a crime substantially related to the  
21 qualifications, functions, and duties of the licensee in question, the record of conviction of the  
22 crime shall be conclusive evidence of the fact that the conviction occurred, but only of that fact,  
23 and the board may inquire into the circumstances surrounding the commission of the crime in  
24 order to fix the degree of discipline or to determine if the conviction is substantially related to the  
25 qualifications, functions, and duties of the licensee in question.

26 "As used in this section, 'license' includes 'certificate,' 'permit,' 'authority,' and  
27 'registration.'"

28 12. California Code of Regulations, title 16, section 1360, states:

1 AFor the purposes of denial, suspension or revocation of a license, certificate or permit  
2 pursuant to Division 1.5 (commencing with Section 475) of the code, a crime or act shall be  
3 considered to be substantially related to the qualifications, functions or duties of a person holding  
4 a license, certificate or permit under the Medical Practice Act if to a substantial degree it  
5 evidences present or potential unfitness of a person holding a license, certificate or permit to  
6 perform the functions authorized by the license, certificate or permit in a manner consistent with  
7 the public health, safety or welfare. Such crimes or acts shall include but not be limited to the  
8 following: Violating or attempting to violate, directly or indirectly, or assisting in or abetting the  
9 violation of, or conspiring to violate any provision of the Medical Practice Act.®

#### 10 **FIRST CAUSE FOR DISCIPLINE**

11 *(Substantially Related Conviction: Michigan Federal Case)*

12 13. Respondent is subject to disciplinary action under sections 2236.1 and 490 in that he  
13 was convicted of crimes substantially related to the practice of medicine on or about November  
14 30, 2011. The circumstances are as follows:

15 14. On or about September 22, 2010, in *United States of America vs. Owusu Ananeh*  
16 *Firemping*, United States District Court for the Western District of Michigan, Case Number 1:08-  
17 CR-274-10, a Third Superseding Indictment was filed as to twelve named criminal defendants  
18 including Respondent.

19 A. Count One alleged that Respondent, between unknown dates in the mid-1990's and  
20 2009, conspired and agreed with other named defendants and others "to knowingly, intentionally  
21 and unlawfully distribute and possess with intent to distribute five kilograms or more of a mixture  
22 or substance containing a detectable amount of cocaine, a Schedule II controlled substance."  
23 Respondent was alleged to have violated Title 21 of the United States Code, sections 846;  
24 841(a)(1); and 841(b)(1)(A)(ii).

25 B. Count Two alleged that Respondent and other named defendants beginning on or  
26 about an unknown date in the mid-1990's and continuing through on or about December 2, 2009,  
27 knowing that the property involved proceeds of the offenses alleged in count one, knowingly and  
28 intentionally conspired and agreed with other named defendants and others "to conduct and cause

1 to be conducted financial transactions which involved the proceeds of said unlawful activity, with  
2 intent to promote the carrying on of said unlawful activity, to conceal and disguise the nature,  
3 location, source, ownership and control of the proceeds of the unlawful activity, and to avoid  
4 transaction reporting requirements under federal law.” Respondent and four of his co-defendants  
5 and others were alleged to have used drug proceeds (1) to purchase various motor vehicles,  
6 including minivans and motor homes, so that K.E. could transport the multiple-kilogram loads of  
7 cocaine to the State of Michigan and other locations; (2) to obtain lodging and transportation  
8 while waiting for the cocaine to be sold and the drug proceeds to be loaded in the vehicle; and (3)  
9 to transport the drug proceeds back to California. Respondent was alleged to have violated Title  
10 18 of the United States Code, section 1956(h).

11 15. On or about May 12, 2011, following a trial, the twelve jurors unanimously found  
12 Respondent guilty as charged as to both counts. On or about November 30, 2011, a Judgment  
13 issued and on or about January 9, 2013, a Second Amended Judgment issued. Respondent was  
14 adjudicated guilty of both counts. For Count One, conspiracy to distribute and possess with  
15 intent to distribute five kilograms or more of cocaine, Respondent was sentenced to serve a term  
16 of incarceration for three hundred twenty-four (324) months.<sup>2</sup> For Count Two, conspiracy to  
17 launder money, Respondent was sentenced to serve a term of incarceration for two hundred forty  
18 (240) months,<sup>3</sup> to be served concurrently with his sentence for Count One. Upon release from  
19 incarceration, the Court ordered, Respondent would be subject to five years of supervised release,  
20 consisting of five years for Count One and three years for Count Two, to be served concurrently.

21 16. Respondent appealed, and on or about November 13, 2013, the United States Court of  
22 Appeals for the Sixth Circuit affirmed Respondent’s conviction and sentence. The Court found  
23 that evidence presented at trial “showed that [Respondent] regularly and frequently associated  
24 with drug dealers, accepted drug proceeds, and laundered the drug proceeds through his  
25 businesses to purchase [a] motorhome, which in turn was used to transport drugs and money in

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26 <sup>2</sup> Three hundred twenty-four months (324) is the equivalent of twenty-seven (27) years.

27 <sup>3</sup> Two hundred forty (240) months is the equivalent of twenty (20) years.

1 furtherance of the cocaine conspiracy.” Respondent was close friends with C.J., a co-defendant  
2 who was a drug kingpin and fugitive who used aliases. Respondent and C.J. attended basketball  
3 games and threw lavish parties together. C.J. gave Respondent \$200,000 in cash in paper bags  
4 and Respondent used it to purchase C.J. a motorhome that was used to transport at least 70  
5 kilograms of cocaine from California to Michigan each month for thirty-two (32) months, over  
6 two and a half years. C.J. charged \$18,000 per kilogram for the cocaine.<sup>4</sup> Over 150 kilograms of  
7 cocaine and over \$40,000,000 of cocaine proceeds were determined to be foreseeable to  
8 Respondent.<sup>5</sup> The appellate court noted that although the district court was mystified how a  
9 doctor of Respondent’s stature could get involved in such a conspiracy, it had concluded that  
10 Respondent knew precisely what he was doing and why he was doing it.

11 17. On or about May 22, 2014, after Respondent had begun serving his twenty-seven year  
12 term of incarceration, Respondent was served a Notice of Automatic Suspension of his License  
13 pursuant to Code section 2236.1.

## 14 SECOND CAUSE FOR DISCIPLINE

### 15 *(Substantially Related Conviction: California Federal Case)*

16 18. Respondent is subject to disciplinary action under sections 2236 and 490 in that he  
17 was convicted of another crime substantially related to the practice of medicine on or about  
18 August 22, 2013. The circumstances are as follows:

19 19. On or about September 2, 2011, in *United States of America vs. Owusu Ananeh*  
20 *Firemping*, United States District Court for the Central District of California, Case Number CR  
21 11-00847, an indictment was filed against Respondent for ten counts of Health Care Fraud in  
22 violation of Title 18 U.S.C. Section 1374, 2(b). The indictment alleged that between on or about  
23 November 29, 2007, and on or about June 9, 2008, using Medicare provider numbers for two  
24 clinics he owned, Respondent submitted claims for diagnostic testing to Medicare totaling

25 \_\_\_\_\_  
26 <sup>4</sup> Applying these numbers, each trip, \$1,260,00 of cocaine was transported. In 32 months,  
27 just over two and a half years, a total of 2,240 kilograms, \$40,320,000, of cocaine was transported  
in the motorhome.

28 <sup>5</sup> 150 kilograms of cocaine, at \$18,000 per kilogram, totals \$2,700,000.

1 approximately \$1,289,907, and that as a result, he was paid approximately \$782,710.36.  
2 Specifically, Respondent certified that he performed diagnostic tests including nerve conduction  
3 velocity studies (NCV's), peripheral vascular tests (PVL's) and sleep studies. He claimed both  
4 technical and diagnostic components, representing conducting and interpreting the tests,  
5 respectively. He certified that all of the diagnostic tests were medically necessary. He also  
6 certified that he provided accurate information in the claims. In fact, Respondent did not perform  
7 any of the tests claimed and none of the tests were medically necessary.

8 20. On or about March 3, 2014, Respondent was found guilty of health care fraud,  
9 causing an act to be done in violation of 18 U.S.C. section 1374, 2(b) as charged in counts 4, 5, 6,  
10 8, and 10 of the ten-count indictment. He was sentenced to imprisonment for fifty-seven (57)  
11 months on each of the five counts, to be served concurrently to one another, and to be served  
12 concurrently with the undischarged term of imprisonment in the United States District Court,  
13 Western District of Michigan, Docket No. 08-00274-PLM. Upon release from imprisonment, the  
14 Court ordered, Respondent shall be placed on supervised release for a term of three (3) years,  
15 consisting of concurrent three years on each of the five counts, all terms running concurrently.  
16 Respondent was ordered to pay restitution to Medicare pursuant to 18 U.S.C. section 3663A in  
17 the total amount of \$782,710.36.<sup>6</sup>

### 18 **THIRD CAUSE FOR DISCIPLINE**

#### 19 *(Dishonest or Corrupt Acts)*

20 21. Respondent is subject to disciplinary action under section 2234, subdivision (e), in  
21 that he engaged in numerous dishonest and corrupt acts over a lengthy period of time subsequent  
22 to June of 2007. The circumstances as set forth in the paragraphs 14 through 17 and 19 through  
23 20 above are incorporated herein.

24  
25 <sup>6</sup> On or about March 3, 2014, Respondent filed a Notice of Appeal, entered on the district  
26 court docket on or about March 7, 2014. On or about March 12, 2014, an order from the Ninth  
27 Circuit Court of Appeals was filed in the district court assigning a Ninth Circuit case number, 14-  
28 50118, and setting a time schedule. On or about March 19, 2014, an order from the Ninth Circuit  
Court of Appeals was filed in the district court granting Respondent's appointed counsel's motion  
to withdraw and appoint new counsel and setting a time schedule, with Respondent's opening  
brief due August 11, 2014, and appellee's answering brief due September 10, 2014.

1 **FOURTH CAUSE FOR DISCIPLINE**

2 *(False Representations of State of Facts with Fraudulent Intent)*

3 22. Respondent is subject to disciplinary action under section 2261 in that he committed  
4 unprofessional conduct by falsely representing the existence of a state of facts when he submitted  
5 fraudulent claims to Medicare, subsequent to June of 2007, resulting in his receipt of  
6 approximately \$782,710.36. The circumstances as set forth in paragraphs 19 and 20 above are  
7 incorporated herein.

8 **PRAYER**

9 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
10 and that following the hearing, the Medical Board of California issue a decision:

11 1. Revoking or suspending Physician's and Surgeon's Certificate Number G42397,  
12 issued to Owusu Ananeh-Firempong, M.D.;


13 2. Revoking, suspending or denying approval of Respondent's authority to supervise  
14 physician assistants, pursuant to section 3527 of the Code;

15 3. Ordering Respondent, if placed on probation, to pay the Medical Board of California  
16 the costs of probation monitoring; and

17 4. Taking such other and further action as deemed necessary and proper.

18 July 3, 2014

19 DATED: \_\_\_\_\_

20   
KIMBERLY KIRCHMEYER  
Executive Director  
Medical Board of California  
Department of Consumer Affairs  
State of California  
Complainant

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